



Stormwater Needs Assessment Project

Fairfax County Stormwater Advisory Committee
Stormwater Needs Assessment Project
Meeting #6
February, 2005, 7 – 9 p.m.
Fairfax County Government Center, Room 4

Meeting Minutes

In Attendance:

Stormwater Advisory Committee:

Larry Butler	Jessica Fleming	Jeanette Stewart
Lewis Rauch	Robert McLaren	Sally Ormsby
Greg Prelewicz	Michael Rolband	Russell Wanek
Kimberly Davis	Harry Glasgow	

Consultants:

Elizabeth Treadway
Doug Moseley
Curt Ostrodka

County Staff:

Jimmie Jenkins	Paul Shirey
Carl Bouchard	Scott St. Clair
Fred Rose	Krystal Kearns
Marlae Schnare	Vishnu Seri
Meaghan Kiefer	Michelle Brickner

Meeting Agenda

1. Welcome and Introductions
2. Review January 11, 2005 Meeting Minutes
3. Committee Discussion with County Executive Anthony Griffin
4. Credits – Recommendations from the Committee
5. Finalization of Program Structure
6. DRAFT Committee Recommendations to the Board
7. Wrap-Up and Adjourn

Welcome and Introductions

Carl Bouchard, Director of the Stormwater Planning Division, opened the meeting with a welcome message for the committee members and reiterated the County's thanks for their service. Each Committee and staff member introduced themselves.

Review January 11, 2005 Meeting Minutes

Mr. Moseley invited committee edits for the minutes from the previous committee meeting. He noted that the attendance roster will be updated to include all Committee members present in January. The Committee noted that the reference to the "Fairfax County Sewer Authority" should be changed to "DPWES Wastewater Management." They recommended that the #4 Principle for Funding should be amended to read, "Encourage greener *practices* through the funding strategy." Finally, it was noted that Ms. Treadway had referred to a draft six-year Cost of Service implementation plan, and did not distribute it to the Committee at the previous meeting.

Committee Discussion with County Executive Anthony Griffin

Mr. Jenkins introduced Anthony Griffin, Fairfax County Executive. Mr. Griffin announced that he will release his Fiscal Year 2006 budget to the Board of Supervisors on February 28, 2005. He noted that he believes that financing for stormwater management is a pressing issue that the County should address immediately and he would be recommending an increase in resources for this program. He thanked the Committee for their work over the past months and stated the importance of their efforts in providing guidance to the Board in their decisions regarding the program and funding for stormwater. The Committee discussed their concerns with various funding methodologies with the County Executive and expressed their appreciation to him for offering his insights and opportunity to discuss the issue with him. Their discussion involved the impacts of various funding options, the historical perspective on resources for the stormwater program and concerns regarding the challenges facing Fairfax County in the future.

Credits – Recommendations from the Committee

Ms. Treadway then facilitated a discussion on credit recommendations. She noted that the Committee's job consists of crafting recommendations as to what the County should consider for credit. She stated that the determination of credits would allow her to finalize the rate structure. She noted that the rate should not include different "classes" of payers. If Fairfax County feels the need to develop a program to assist the poor, elderly, or other at risk populations, such a relief program is feasible but must be developed outside the utility structure.

The credit structure must be easy for the public to understand. The Committee agreed and indicated that credits should be used to educate and change behaviors, and that the utility will be politically unfeasible without credits. The Committee agreed that there should be a cap, and that no payer should receive a 100% credit. The Committee agreed that credits should be given for peak flow reduction, ongoing maintenance, and volume reductions. It was pointed out that BMP facilities that are designed to meet a service standard can be given a water quality credit, though it is often very difficult and costly to measure water quality at the outfall. The Committee agreed that stream restoration projects should be given a credit. They also stated that public education should be given a credit because it helps the County meet the Education and Outreach Minimum Control Measures in its VPDES permit.

The Committee then reviewed the credit discussion paper and offered the following input regarding the recommendations offered by the consultant.

Recommendation: No special credit or exemption should be given on the basis of payer class. Should the County desire to address social issues, it should be done outside of the fee-structure and evaluated on other criteria or merits.

The Committee supports this recommendation.

Recommendation: Credits should be granted for all properties based on the technical merit of the facilities or services provided, regardless of ownership.

The Committee supports this recommendation.

Recommendation: Unless the County includes all properties in the rate base, credits are not applicable to agricultural or undeveloped property since they are not charged a user fee.

The Committee supports this recommendation.

Recommendation: It is recommended that the County allow homeowner associations be eligible for stormwater credits when the system component privately owned and managed serves as a regional stormwater management facility for the development. Implementation of the credit should be handled in a manner that is flexible and meets the needs of the property owners. A credit should be evaluated and created to support the LID initiatives of the County. The County should keep the credit program simple in concept.

The Committee asked for the term “regional facility” to be clarified and supports the recommendation.

Recommendation: It is recommended that state and Federal facilities be treated like any other property and charged a fee if the legal test is met as established under the State enabling authority. In all likelihood, a credit would not apply; however, if eligible for a credit, it should be offered as appropriate.

The Committee supports this recommendation.

Recommendation: The County Attorney will provide clarification of the ownership of properties for the County Schools and Park Authority. The County will need to review the government-owned parcels within the County to determine (1) if there is a stormwater system on site and (2) if the system is maintained. If these two conditions are not met, then the property is eligible for payment of the user fee and for credits.

AMEC will coordinate with the County Attorney to clarify this recommendation. The Committee understands the issue of exemptions identified in the enabling legislation.

Recommendation: It is recommended the utility not provide credits or exemptions for properties based on location.

The Committee supports this recommendation.

Recommendation: It is recommended that:

- ♦ *the utility grant a credit for the pollution control portion of the fee for all properties which maintain a current NPDES industrial stormwater permit and are in compliance;*
- ♦ *the utility grant a credit for the pollution control portion of the fee for all properties within the watershed or resource protection area and which have, either through structural controls or land use requirements, taken steps to reduce pollution from their sites in accordance with the watershed protection measures of the County;*
- ♦ *the utility grant a credit to approved detention and retention facilities which are constructed in such a way as to control flow from off-site and reduce its impacts (for quantity and quality controls); and*
- ♦ *the County, in establishing the credit policy, consider other BMPs that are non-structural such as development and implementation of a Stormwater Master Plan on a private development or subdivision (e.g. as in Reston). These BMPs should be established with standards set by the County to ensure consistency in the non-structural programs.*

The Committee requested that “or resource protection area” be deleted from the second bullet. They recommend that the third bullet should be clarified and moved to the statement on credits based on impacts.

Recommendation: It is recommended that impact based credits be provided for reduction in peak flow and pollution reduction. The value of the credit to the owner should be established as it correlates to the overall objectives of the stormwater program, as measured by the cost of services.

The Committee suggests that “volume” be added to the list of impact based credits.

Recommendation: Credit for maintenance of conveyance systems should be evaluated by the County to determine how to value this portion of the drainage system and the condition of the conveyance system held in private hands. This is a more difficult credit program element to create and may be useful as the County completes its system assessment program.

The Committee suggests that language related to conservation easements in forested areas be added to this recommendation.

The recommendations of the Committee will be incorporated in the discussion paper on Credits.

The Committee will hold its last meeting to finalize recommendations on level of service and to review the work of the past meetings to prepare a statement to the Board Environmental Committee meeting for their March 28th meeting.

The meeting adjourned at 9:20.

Next Meeting

The next meeting of the Fairfax County Stormwater Advisory Committee will be held on March 8, 2005 at 7 P.M. in the County's Herrity Building. The next meeting will offer the opportunity for the Committee to draft its recommendations to the Board of Supervisors.